

REMARKS

I. Status of Claims

In the present Amendment, claims 16 and 64 have been amended, wherein the phrase “and derivatives thereof” has been deleted. Claims 17-21 and 65-69 have been canceled without prejudice or disclaimer of the subject matter thereof. Applicants have not introduced any new matter by the amendments, nor are any estoppels intended thereby.

Claims 1-16, 22-64, and 70-100 are pending in this application.

II. Finality of the Office Action

Applicants respectfully submit that it is improper for the Examiner to make this Office Action final, because the outstanding objection and rejection set forth in the Office Action are new and are not necessitated by Applicants' amendment of the claims. See M.P.E.P. § 706.07(a). Therefore, Applicants respectfully request that the finality of the Office Action be withdrawn. In addition, Applicants respectfully request that the amendments set forth above be entered into record.

III. Objection and Rejection under 35 U.S.C. § 112, Second Paragraph

The Examiner objects to claims 16-21 and 64-69, “as being of improper dependent form for failing to further limit the subject matter of a previous claim,” as allegedly claims 16-21 and 64-69 “further expand the scope of compounds [of claims 1 and 49] to include derivatives of [those] compounds.” Office Action, pages 2-3. The Examiner also rejects claims 16-21 and 64-69 under 35 U.S.C. § 112, second

paragraph, alleging that the term “derivative” lacks sufficient antecedent basis and does not have a clear definition. *Id.* at page 3.

Applicants respectfully disagree with the Examiner. The originally-filed specification, page 20, lines 10-12, clearly indicates that “[d]erivatives of C₃ to C₅ monosaccharides substituted with at least one C₁ to C₂₂ carbon chain may be used as the at least one compound of the present invention.” Therefore, the scope of the present claims, such as claims 1 and 49, includes the derivatives of C₃ to C₅ monosaccharides substituted with at least one C₁ to C₂₂ carbon chain.

However, solely to advance the prosecution of this application, Applicants have deleted the term “derivatives thereof” in claims 16 and 64, and canceled claims 17-21 and 65-69. Accordingly, Applicants respectfully request this objection and rejection be withdrawn.

IV. Allowed Subject Matter

Applicants thank the Examiner for pointing out that claims 1-15, 22-63, and 70-100 are allowed. Summary of the final Office Action. Applicants respectfully submit that, in view of the present amendments, the pending claims 1-16, 22-64, and 70-1000 should be allowed.

V. Conclusion

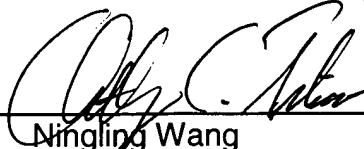
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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